

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ENOCH PITTMAN,

Defendant.

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CASE NO. 8:07CR32

ORDER

This matter is before the Court on the Defendant's motion (Filing No. 79) for an evidentiary hearing to "prove that the government agreed, after a proffer, to bring the Defendant back for re-sentencing."

IT IS ORDERED that the Defendant's motion for an evidentiary hearing (Filing No. 79) is denied.

DATED this 13th day of October, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge